



Department of Planning, Building and Code
Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. 11/17/03 Item: 3d

File Number:
GP03-03-05

Council District and SNI Area:
3

Major Thoroughfares Map Number:
83

Assessor's Parcel Number(s):
472-13-057, 81, 82, 83, 84, 85, 86, 87, and
99.

Project Manager:
Susan Walsh

GENERAL PLAN REPORT

2003 Fall Hearing

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Light Industrial with Mixed Industrial Overlay to General Commercial

LOCATION: North side of Keyes Street, between 7th and 9th Streets

Acreeage: 1.68

APPLICANT/OWNER:

Staff/ Various Property Owners

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Light Industrial with Mixed Industrial Overlay

Proposed Designation: General Commercial

EXISTING ZONING DISTRICT (S): Light Industrial

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION (S):

North: Single- Family Detached Residential / Medium Low Density Residential (8 DU/AC)

South: Commercial / General Commercial

East: Commercial, single family detached and multiple family attached residential / General Commercial

West: Commercial and single family detached residential / General Commercial

ENVIRONMENTAL REVIEW STATUS:

Negative Declaration adopted on October 23, 2003.

PLANNING STAFF RECOMMENDATION:

General Commercial

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation – No long-term traffic impact.
- Department of Public Works – The site is not located in a Flood Zone, Geological Hazard Zone or State Landslide Zone, but is located in a State Liquefaction Zone. The site has adequate sanitary and storm sewer capacity. There are no major access constraints.

GENERAL CORRESPONDENCE:

- See attached letters from PG&E, and VTA.

ANALYSIS AND RECOMMENDATIONS:**PROJECT DESCRIPTION**

This is a staff-initiated General Plan amendment to change the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation on a 1.68-acre site located on the north side of Keyes, between 7th and 9th Streets, from Light Industrial with a Mixed Industrial Overlay to General Commercial to allow for future commercial uses along Keyes Street.

The proposed General Commercial land use designation is intended to encourage the development of neighborhood commercial, pedestrian-oriented uses along Keyes Street, which would further the goals of the Spartan Keyes Strong Neighborhood Initiative (SNI) Plan, approved by the City Council in May 2002. Planning Staff initiated the General Plan land use amendment in order to implement the “Top Ten” priority action Item Number 3 in the Spartan Keyes SNI Plan, “Revitalize and Attract Neighborhood Friendly Businesses Along Keyes Street”. The General Commercial land use designation allows a broad spectrum of commercial uses including pedestrian-oriented neighborhood commercial uses along Keyes Street. Policies of the General Plan would also allow the option of mixed use, with residential uses above retail.



Auto service shop on Keyes Street



Car Wash on Keyes Street

BACKGROUND**Site and Surrounding Uses**

The amendment site is comprised of 9 parcels located on the north side of Keyes Street between 7th and 9th Streets, extending northerly of Keyes Street approximately 150 feet. The subject site is currently occupied by a car wash, auto and truck sales and repair businesses, a mixture of retail and office uses (including a video rental shop and a flower shop) and three Single-family houses. Uses surrounding the site include mixed retail and auto-oriented uses to the south, east and west and single-family detached residential uses to

the north. The General Plan Land Use designations surrounding the site include General Commercial to the south, east and west, and Medium High Density Residential (12-25 DU/AC) to the north of the site.

Spartan Keyes SNI Plan

The site is located within the Spartan Keyes SNI area, a 385-acre area which is generally bounded by Interstate 280 to the north, San Jose State University's Spartan Stadium and sports field to the south, Coyote Creek and Senter Road on the east, and First Street on the west. The Spartan Keyes Plan area is comprised mainly of single-family detached residences with a number of multiple family residential developments along 12th Street. The Keyes Street corridor is the primary commercial area and is comprised of a mix of commercial, light industrial and auto service businesses.

The Spartan Keyes SNI Plan proposes an overall strategy to revitalize the Keyes Street commercial corridor and states as two of its "Top Ten" priority action items (Number 3 and 4) to "Improve the Keyes Street Streetscape" and to "Revitalize and Attract Neighborhood Friendly Businesses Along Keyes Street".



Residence on Keyes Street



Retail uses on Keyes Street

One of the primary objectives of the Spartan Keyes Plan is to encourage more pedestrian-oriented neighborhood-serving commercial uses along Keyes Street. In order to achieve this objective the *Plan* recommends that the General Plan land use designations for non-commercial designated parcels (i.e. the subject amendment) along Keyes Street be changed to a commercial designation.

ANALYSIS

Land Use Compatibility

The proposed land use designation of General Commercial would encourage land uses that would be compatible with the surrounding land uses and consistent with the intent of the Spartan Keyes Neighborhood Improvement Plan. The General Commercial land use designation would allow a wide range of commercial uses. Such uses would be more compatible with the existing mixture of residential and commercial uses in the neighborhood than the light industrial uses



Single-family detached residence on Keyes Street



Auto sales and service on Keyes Street

which are allowed by the existing Light Industrial with a Mixed Industrial Overlay General Plan designation. The change to General Commercial is hoped to encourage the revitalization and improvement of Keyes Street by allowing new commercial development and/or uses that could improve the appearance of the street and help meet the service needs of the surrounding community. The proposed change to General Commercial would also help to minimize auto trips (and expand pedestrian and bicycle trips) to and from commercial uses since the subject area is adjacent to existing residential neighborhoods to the north and south.

Existing light industrial uses would be allowed to remain, but any new development proposed for the area would have to conform to the new General Commercial General Plan designation. In the future, staff may initiate the rezoning of the subject area to CP (Commercial Pedestrian), in conformance with the proposed General Commercial land use designation, to encourage new commercial service businesses in addition to mixed commercial and residential uses that could revitalize this commercial strip. Rezoning of this area to CP (Commercial Pedestrian) would preclude new industrial uses that are inconsistent with the Spartan Keyes Neighborhood Improvement Plan's vision for Keyes Street. If the area were to be rezoned to CP (Commercial Pedestrian) any legally developed light industrial uses would become legal non-conforming and would be allowed to remain. The expansion or change of any legal nonconforming uses would be subject to the provisions of Title 20 (Zoning Ordinance) of the Municipal Code.

Industrial Land Conversion

The Industrial Land Use Policies in the General Plan encourage the preservation of industrially-designated lands. The proposed change from Light Industrial with a Mixed Use Overlay to General Commercial would result in an overall net reduction of a minor amount (1.68 acres) of land designated Light Industrial, however, the current Mixed Industrial Overlay implies that the land is not prime industrial land. The site, by nature of its location in a primarily commercial area adjacent to residential use, is marginal in terms of future industrial use capability.

This is an isolated area of industrially-designated land along Keyes Street. Its conversion is not expected to encourage the conversion of other industrial land to the south (nearer to the Monterey Industrial Corridor) or the small amount of industrially-designated land to the west in the Martha Gardens Specific Plan area. The latter area is proposed to be preserved or adaptively used for commercial and/or industrial use.

Consistency with the General Plan

The proposed amendment is consistent with a number of the Major Strategies in the *San Jose 2020 General Plan* including Economic Development, Urban Conservation/Preservation, and Sustainable City Community, as well as other important policies in the Plan.

- Economic Development, one of the seven Major Strategies of the General Plan, encourages more commercial and industrial growth to balance existing residential development and to improve the economic health of the City. This proposed change to the General Commercial land use designation is consistent with this Strategy in that it will preserve jobs and support revitalization of the neighborhood commercial area.
- Urban Conservation / Preservation, another Major Strategy of the General Plan, recognizes the importance of sustaining viable neighborhoods and encourages the protection of existing historic resources. This proposed amendment is consistent with this Strategy because changing the General Plan Land Use designation on these nine parcels to General Commercial should help encourage the development of new neighborhood-serving commercial uses which would be more compatible with the existing residential neighborhoods to the north and the south of Keyes Street, thereby strengthening the fabric of the community.
- The Sustainable City Major Strategy seeks to reduce traffic congestion, pollution, wastefulness, and environmental degradation of our living environment. The amendment site is located in close proximity to First Street and bus transportation corridors providing quick access to the downtown area. Orienting development in already urbanized areas and around convenient transit lines contributes to sustainability by shortening trip lengths and providing for the availability of different modes of transportation such as public transit, biking, and walking. This in turn helps to conserve energy and improve air quality.
- The General Plan's Balanced Community goals encourage "the development of a balanced and complete community in terms of land use distribution and densities, housing types, styles, economic development and job opportunities, and opportunities for social and cultural expression". The proposed General Plan amendment supports commercial use and/or mixed use (lower floor retail with residential use above) along this Keyes Street corridor.
- The Commercial policies of the General Plan encourage new commercial uses to be located within existing commercial centers or in established strip commercial areas. Keyes Street is a mixture of strip commercial and industrial uses. The Plan also recommends that commercial uses maximize community accessibility and transit, pedestrian and bicycle access. The proposed General Commercial land use designation is expected to encourage revitalization of the Keyes Street strip commercial area and also encourage transit, pedestrian and bicycle use because it is located adjacent to existing residential neighborhoods to the north and south.

Environmental Issues

The proposed General Plan change was analyzed in an Initial Study that resulted in the adoption of a Mitigated Negative Declaration on October 23, 2003. The Negative Declaration was prepared and circulated to the public for review and comment.

The Initial Study determined that the proposed land use change would create a less than significant impact with mitigation measures that are based on General Plan policies. Potentially significant impacts to cultural and historic resources, aesthetics, and geologic/soils will be mitigated to a less than significant level with the implementation of the policies of the San Jose 2020 General Plan.

PUBLIC OUTREACH

The property owners within the amendment site boundaries and property owners within a 1000-foot radius of the amendment site were sent a newsletter regarding the two community meetings that were held on October 14, 2003 and October 15, 2003, to discuss the proposed General Plan amendment. In addition, staff conducted two meetings with interested property owners to explain the proposal and answer questions. Property owners were primarily concerned with how the General Plan change might affect their ability to expand their businesses. In addition, they were concerned that if their properties were later rezoned to CP (Commercial Pedestrian) in conformance with the General Commercial General Plan designation, their uses would become legal non-conforming and it would be even harder for them to expand or remodel. Staff explained that their uses could remain and minor expansions would be allowed, but that any future proposed change of use would be required to conform to the new CP zoning.

The proposal was also reviewed by the Spartan Keyes Neighborhood Advisory Committee (NAC) and they were very supportive of the proposal and submitted the attached letter endorsing the proposed amendment.

The community received a public hearing notice regarding the public hearings to be held on the subject amendment before the Planning Commission in November and City Council in December. The community has also been able to stay informed about the status of amendments on the Department's web site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule.

RECOMMENDATION

Planning staff recommends changing the Land Use /Transportation Diagram from Light Industrial with a Mixed Industrial Overlay to General Commercial.

Attachments

PBCE002/GP_Team/2003 Annual Review/Staff Reports/Spring Review/GP03-03-03.doc